

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ROBERT EUGENE WOODSON,	)	
	)	
Plaintiff(s),	)	
	)	
vs.	)	Case No. 4:21-cv-00192-SRC
	)	
JACOB CASE,	)	
	)	
Defendant(s).	)	

**Memorandum and Order**

This matter comes before the Court on Plaintiff Robert Eugene Woodson’s Motion for Appointment of Counsel. Doc. 19. The Court denies the motion.

In civil cases, a pro se litigant does not have a constitutional or statutory right to appointed counsel. *Ward v. Smith*, 721 F.3d 940, 942 (8th Cir. 2013); *see also Stevens v. Redwing*, 146 F.3d 538, 546 (8th Cir. 1998) (stating that “[a] pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case”). Rather, a district court may appoint counsel in a civil case if the court is “convinced that an indigent plaintiff has stated a non-frivolous claim . . . and where the nature of the litigation is such that plaintiff as well as the court will benefit from the assistance of counsel.” *Patterson v. Kelley*, 902 F.3d 845, 850 (8th Cir. 2018). When determining whether to appoint counsel for an indigent litigant, a court considers relevant factors such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. *Phillips v. Jasper Cty. Jail*, 437 F.3d 791, 794 (8th Cir. 2006).

After reviewing these factors, the Court finds that the appointment of counsel is not warranted at this time. At this juncture, this case is not factually complex and does not involve

complex legal arguments, no conflicting testimony has been presented to the Court, and Woodson has demonstrated he has the ability investigate the facts and present his claims with at least a basic understanding of the Rules of Civil Procedure. Therefore, the Court denies Woodson's request at this time, and will entertain future motions for appointment of counsel, if appropriate, as the case progresses.

So Ordered this 11th day of August 2021.

  
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**STEPHEN R. CLARK**  
**UNITED STATES DISTRICT JUDGE**